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SUBJECT: OSCE WEEKLY HIGHLIGHTS: OCTOBER 19 - 23, 2009

Classified By: Charge d'Affaires Carol Fuller for Reasons 1.4(B)&(D)

Georgia: Russia Outlines Conditions for Proposed Support Team

¶1. (SBU) In an October 20 meeting, the Russian delegation reportedly told the senior policy officer on the OSCE Conflict Prevention Center's Caucasus Desk that Moscow wanted a written proposal for the Chairmanship's "support team" and preferred a modified chain of command. The delegation suggested the OSCE follow the example of the UN while planning, noting that informal exchanges were held and a non-paper put forward prior to the "gentleman's agreement" on the UN arrangement for Abkhazia. The Russian delegation also argued that the support team should report through the director of the Conflict Prevention Center to the OSCE Secretary General, rather than through Greek Special Representative Christopoulos to the Chairmanship, and again cited the UN model, observing that the UN team reports to the director of the Department of Peacekeeping Operations rather than to UN Special Representative Verbeke. In addition, the Russian delegation emphasized that the team should be "strictly technical" and should not undertake independent monitoring. Finally, the delegation said Moscow understands that no Russian would be an acceptable member of the team, and has no strong objections to OSCE vehicles crossing the South Ossetian administrative boundary line (but believes South Ossetian authorities will insist that South Ossetian vehicles be used north of the line).

CiO gives positive report on Geneva Co-Chairs, activities

¶2. (SBU) In the meeting with Chargé Fuller on Oct 20, Greek Perm Rep Marinaki reported that the three Geneva Co-Chairs had arrived in Georgia and expected to hold meetings in Tbilisi and Tskhinvali as scheduled. Marinaki added that South Ossetian representatives would allow the CiO's independent water and gas expert, Werner Johannides, to travel October 21 in a marked OSCE vehicle across the administrative boundary line and into Akhalkalaki, reversing previous objections to travel in OSCE cars. The Chargé

agreed this was a positive development and reiterated U.S. support for the Chairmanship's proposed "support team."

#### CiO to Request pS Support in Selecting New RFOM

¶3. (U) Commenting on two days of briefings with six potential candidates for Mr. Haraszti's successor, Greek Perm Rep Marinaki expressed the CiO's preference for a candidate who would not fear to speak his/her mind, demonstrate the highest professional standards and enjoy the respect of, as well as dare to speak eye-to-eye with political leaders and other high level representatives of any country. Marinaki announced her intention to ask participating States in the upcoming PC to assist the CiO in the selection of the most qualified candidate - applying above mentioned standards - by submitting to the CiO a list of three preferred candidates, confidentially and in no particular order no later than Oct 29. Having identified the candidates who received the highest support from pS, the CiO would proceed by inviting them for interviews in front of all ¶56.

#### CiO Gives Update on Ministerial Preparation

¶4. (SBU) On Oct 20, asked whether a meeting of the representatives of the "Big 5" (NATO, EU, OSCE, COE, CSTO) was planned on the margins of the Athens Ministerial, Greek Perm Rep Marinaki pronounced it unrealistic and difficult as the new Greek PM/FM had not yet been briefed and the NATO

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SYG's schedule would not allow for it. However, she said, it could not be ruled out entirely. There was still some consideration of a possible meeting December 10 or 11. Marinaki also announced the appearance of Greek Alternate FM Dimitris Droutsas at the Special PC on Nov 6th and his participation in a ceremony to commemorate the fall of the Wall with former German FM Genscher and Austrian FM Spindelegger. She also revealed plans to organize a "5 2" meeting on Transnistria during his visit.

#### First Two Human Dimension Draft Ministerial Council Decisions Tabled

¶5. (SBU) The first two of at least six expected Human Dimension (HD) Ministerial Council Decisions - "Rule of Law: Democratic Law-Making and Access to Law" and "Enhancing OSC Efforts to Ensure Roma and Sinti Sustainable Integration" - were presented for discussion at the HD Committee meeting October 19. Since the drafts were only circulated to pS on October 13, and guidance had yet to be received, delegations were only able to discuss the drafts in general terms. The EU, U.S., Holy See and Russian Federation (RF) delegations were generally in favor of the Rule of Law draft, although the RF representative did note that his government will probably "not be able to support all of the (human dimension) drafts." The Belarusian representative noted that his government would probably not be able to support "a Rule of Law decision every year," but was awaiting more specific guidance from Minsk. Likewise, most delegations noted their support of the Roma/Sinti draft. The Canadian representative suggested that the draft include a follow-up mechanism and the Belarusian representative noted that it would be difficult to comment on the draft without first seeing the expected draft decision on hate crimes, since "there could be overlap on issues." Before adjourning, the UK representative announced that the UK, along with two other European countries, was working on a draft declaration to commemorate the 25th anniversary of the adoption of the UN Convention on Torture. A third draft decision on "Women's Participation in Political and Public Life" was distributed electronically to pS on October 16, but was not discussed at the HD Committee meeting.

#### Australia Considers Joining Asian Partners

¶6. (SBU) In the same meeting with CDA Fuller, Greek Perm Rep Marinaki expressed the CiO's willingness to consider Australia's application for OSCE partnership, provided a letter from Canberra stating a serious intent to join, would be forthcoming in due time. This was especially pertinent, she said, given Canberra's interest in participation at the Athens Ministerial.

#### EU Troika Agrees on Georgia, Draft Decisions, and Afghan Elections

¶7. (SBU) In a meeting with the EU Troika on October 21, Swedish Ambassador Bard-BringQus expressed her regret regarding Russian reservations regarding the CiO's proposed "support team" for the South Ossetia region, considering the progress the three Geneva Co-Chairs were expected to make during their current visit to Georgia, but confirmed the EU's support for the proposed arrangement. Turning to the Athens Ministerial, Bard-BringQus described the discussion of the political declaration on the Corfu Process as "constructive and continuous" but noted a need to refine it. She confirmed the EU's support for a "substantive" Ministerial decision on energy security, and agreed that within the context of a wider discussion among international

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organizations, the OSCE needed to better define its unique value and message beyond a dialog on energy security, especially as it relates to conflict prevention in Europe. Regarding Afghanistan's run-off elections, the EU welcomed a second-round deployment of an OSCE/ODIHR election support team.

#### Greeks Put Forward Draft MC Decision on Migration Management

¶8. (U) On October 21 the Greek delegation distributed a Ministerial Council draft decision (DD) on migration management issues. In a meeting of the Economic and Environmental Committee the same day, the Greek delegation said this DD, which is the first to be tabled in the second dimension and which draws upon the outcomes of the 17th Economic and Environmental Forum on the same topic, is meant to emphasize the importance of cooperation between origin and destination states and the need to incorporate gender aspects of migration into policy, raise awareness of the positive aspects of migration, and facilitate more sharing of experience of best practices. The DD includes language tasking the OSCE Secretariat and committees to provide a platform for continued dialogue on migration and security issues and to assist participating States upon request to improve and implement migration legislation and policy. It also includes a tasking to analyze the relationship between environment and migration and identify policy responses, including preparation and early warning functions. The first text negotiation session is scheduled for October 28.

#### OSCE Workshop on Public-Private Partnerships with the Media in Countering Terrorism

¶9. (U) The OSCE's Action against Terrorism Unit hosted a workshop October 19-20 in Vienna featuring experts, government and international organization officials and journalists to discuss ways to enhance cooperation between public authorities and the news media in the fight against terrorism. The goal was to foster discussion on counter-terrorism initiatives that maintain freedom of the press and the freedom of expression. The Russian delegation ) trying to get the language right ) repeatedly referred to voluntary cooperation between the media and the government and partnership without encroachments on media freedom. Russian reps also focused, however, on forcing the media to take sides between the government and terrorists. Yuri Alekseyev, Russian Deputy Head of the Apparatus of the National Anti-Terrorism Committee, endorsed government regulation to block terrorist propaganda websites and suggested that the OSCE facilitate cooperation between states

on suppressing Internet propaganda. Other key points of the conference included: the need to build trust between the government and media before crises, including through awareness-raising, training and exchange programs. Participants also noted that training and education of the media and government, and involving the media in crisis prevention drills and post-incident evaluations can have significant benefits.

#### pS Laud Lithuanian FM's Focus on Regional, Sub-Regional Cooperation

¶10. (C) In his address to the Permanent Council October 22, Lithuanian Foreign Minister Usackas highlighted the importance of the OSCE as a platform for regional and sub-regional cooperation. At a dinner October 21, the Lithuanian delegation told us that Usackas' highlighting of the Council of Baltic Sea States and other sub-regional organizations was an attempt to derail the Russians, "Big

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Five" meeting of European security organizations under OSCE auspices. Russia is seeking to upgrade the status of CSTO by putting it on the same level as NATO. Sweden/EU and Norway, as well as the U.S., took up Usakas theme of expansive sub-regional cooperation at the PC. At the PC, many pS commended Usackas, focus on regional and sub-regional cooperation, agreed that the OSCE was a natural platform for discussions of European security, and highlighted the human dimension as a uniquely valuable feature of the organization.

#### Russia Calls for Reform and a Meeting of the Big Five

¶11. (SBU) Issuing a call for a return to the OSCE's "original mission," Russia emphasized the "equal and indivisible" nature of security, and said this could be achieved only through "comprehensive reform." Russia reiterated its call for a meeting of the "Big Five," arguing this would ensure a "truly equal" status for all pS and overcome "imbalances" in the organization, which has placed undue emphasis on the human dimension. Turning to the Corfu Process, the Russian representative called for more discussion of President Medvedev's proposal for a new European security treaty, and urged pS to revive efforts in the political-military arena, arguing they should review existing documents to see if they were consistent with existing realities. Kazakhstan declared itself ready to continue discussions of European security during its 2010 Chairmanship, and again raised the possibility of convening a Summit.

#### U.S., EU, and Canada Criticize Kazakhstan on Zhovtis

¶12. (SBU) At the October 22 Permanent Council meeting, the United States, the EU, and Canada criticized Kazakhstan for upholding the conviction, a day earlier, of leading human rights defender Yevgeney Zhovtis. Citing violations of due process that were not appropriately addressed by the appellate court, the EU called for a thorough review of all aspects of the Zhovtis case. Canada also called attention to the procedural irregularities in the case and encouraged Kazakhstan "to continue to work to bring its judiciary to international standards." In a brief response, a Kazakh delegate (notably not the Ambassador) reiterated Kazakhstan's earlier statement setting forth the facts, of the Zhovtis case and took issue with comments that Zhovtis was incarcerated. "He is in a resettlement colony, not a jail, and not incarceration, despite what others have said," he remarked. The delegate concluded that Zhovtis, lawyers "have the right to appeal to the supervisory instance court for a review of the proceeding."

#### Head of OSCE Presence in Albania Addresses Permanent Council

¶13. (C) Robert Bosch, Head of the OSCE Presence in Albania

(PiA), gave his annual address to the Permanent Council on Oct 22. His report highlighted both progress and remaining challenges for reforms in Albania and pointed to an excellent working relationship with the GoA. In his 10-page written report, he highlighted the problematic post-election political situation and made a number of specific recommendations for improvements to the electoral system. Bosch privately told USOSCE Chargé Christensen that of the 16 electoral system changes he had proposed to ODIHR for their report, only four had been accepted and he was using his PC report to highlight what he thought were the most important of the recommendations that had not been incorporated by ODIHR, including changes to the composition of CEC structures, changes to how mandates are calculated in order

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to help smaller parties, and masking of ballot boxes during counting so their geographic origin cannot be determined. He also told us he viewed the ODIHR report as not necessarily reflective of reality, as the executive summary mostly described the positive aspects of the elections while burying the most negative aspects in the main body.

#### Secretariat Plans for 2010 Afghan Border Activities

¶14. (SBU) During a 21 October meeting, OSCE customs advisor Jon Trumble (amcit) described a renewed focus on Afghan border projects within the OSCE Secretariat. OSCE Secretary General Marc De Brichambaut has raised Afghanistan projects 15 and 16 in internal deliberations and believes possible OSCE customs/borders training programs inside Afghanistan will be back on the table in 2010. The Secretariat borders team was planning to drop the project numbers in future discussions, which carry a negative connotation with some delegations, and instead refer to a general "Afghan Border Training Capacity" concept. The next step will be for the Secretariat to propose a modest XB project for an OSCE security assessment of Afghanistan's northern border. In addition to being a necessary first step to border work inside Afghanistan, this project would set a precedent for OSCE work inside the country. Trumble suggested the USG could help get this process moving with some pressure on De Brichambaut about the Secretariat's plans.

FULLER